



# PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION

445 TWELFTH STREET, S.W.

WASHINGTON, D.C. 20554

**DA 02-1891**

News media information 202/418-0500 Fax-On-Demand 202/418-2830 Internet: <http://www.fcc.gov> <ftp.fcc.gov>

**Released: August 1, 2002**

## **COMMENTS INVITED ON APPLICATION OF WORLDCOM, INC. TO PARTIALLY DISCONTINUE THE PROVISION OF WIRELESS COMMUNICATIONS SERVICES**

**WC Docket No. 02-215**

**Comments due: August 15, 2002**

On July 29, 2002, WorldCom, Inc. ("WorldCom"), on behalf of certain of its subsidiaries that provide mobile wireless services, WorldCom Wireless, Inc. and MCI Wireless, Inc., filed an application with the Federal Communications Commission ("Commission"), requesting authority under section 214(a) of the Communications Act of 1934, as amended,<sup>1</sup> and section 63.71 of the Commission's rules,<sup>2</sup> to discontinue WorldCom's offering of resold mobile wireless services carried on the AT&T Wireless, Inc. ("AT&T Wireless") network to some of WorldCom's mobile wireless resale customers provided service via the AT&T Wireless network.<sup>3</sup>

WorldCom requests discontinuance authority because it is in the process of exiting the business of providing resold wireless communications services, and it intends not to provide resold mobile wireless service carried on the AT&T Wireless network to customers after September 2, 2002. WorldCom explains that substitute services are available from other CMRS providers, as well as AT&T Wireless, in the relevant regions. Thus, WorldCom asserts, the public convenience and necessity will not be adversely affected by the discontinuance of resold wireless service in these states.

WorldCom estimates that it provides resold wireless services to 625,234 customers in 27 states utilizing the AT&T Wireless network.<sup>4</sup> WorldCom intends to transfer approximately 500,000 of these

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<sup>1</sup> 47 U.S.C. § 214(a).

<sup>2</sup> 47 C.F.R. § 63.71. Under the Commission's rules, commercial mobile radio service (CMRS) providers are not required to seek authority to discontinue service. *See* 47 C.F.R. § 20.15(b)(3). WorldCom states that it filed the subject application both out of an overabundance of caution and to provide customers greater notice than is required by the Commission's rules. Section 63.71 Application, filed July 29, 2002, by WorldCom Inc., at 1 n.1. For further information on procedures regarding Section 214, please visit [http://www.fcc.gov/web/cpd/other\\_adjud](http://www.fcc.gov/web/cpd/other_adjud).

<sup>3</sup> WorldCom discloses that it expects to supplement its application with additional requests for authorization to address customers whose service is carried on the networks of other facilities-based CMRS providers.

<sup>4</sup> WorldCom requests authority to discontinue resold wireless service to certain customers in the following markets:

customers to AT&T Wireless. The customers to be transferred are not the subject of WorldCom's discontinuance application. The customers to be transferred will or have been sent a notification by WorldCom about the transfer arrangements. WorldCom requests discontinuance authority with respect to the remaining 125,000 subscribers for whom AT&T Wireless is the underlying carrier. WorldCom states that the customers for whom service will be discontinued have been sent notification of its intent to discontinue service and will have at least thirty-one (31) days in which to find another wireless provider before losing service. WorldCom indicates that the decision to exit this aspect of its wireless communications services business will not impact any other service that these or any other customers currently receive from WorldCom, MCI or any other WorldCom affiliate.

In accordance with 47 C.F.R. § 63.71(c), the application will be deemed to be automatically granted on the thirty-first (31st) day after the release date of this notice, unless the Commission has notified WorldCom that the grant will not be automatically effective. The Commission will normally authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would be otherwise adversely affected.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's *ex parte* rules.<sup>5</sup> Pursuant to Sections 1.415 and 1.419 of the Commission's rules,<sup>6</sup> interested parties may file comments on or before **August 14, 2002**. Such comments should refer to **WC Dkt. No. 02-\*\*\***. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service.

Under the Commission's current procedures for the submission of filings and other documents,<sup>7</sup> submissions in this matter may be filed electronically or by paper.

- **If filed by ECFS,**<sup>8</sup> comments shall be sent as an electronic file via the Internet to <http://www.fcc.gov/e-file/ecfs.html>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and should include the following words in the

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Arizona, California, Colorado, Connecticut, Florida, Georgia, Idaho, Illinois, Indiana, Maine, Massachusetts, Michigan, Minnesota, Missouri, Louisiana, Nebraska, Nevada, New Jersey, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, Texas, Utah, and Washington.

<sup>5</sup> See generally 47 C.F.R. §§ 1.1200 - 1.1216.

<sup>6</sup> 47 C.F.R. §§ 1.415, 1.419

<sup>7</sup> See *In the Matter of Implementation of Interim Electronic Filing Procedures for Certain Commission Filings*, Order, FCC 01-345 (rel. Nov. 29, 2001); see also FCC Announces a New Filing Location for Paper Documents and a New Fax Number for General Correspondence, *Public Notice*, DA 01-2919 (rel. Dec. 14, 2001).

<sup>8</sup> See Electronic Filing of Documents in Rulemaking Proceedings, 63 Fed. Reg. 24,121 (1998).

body of the message, "get form <your e-mail address>." A sample form and directions will be sent in reply.

- **If filed by paper**, the original and four copies of each filing must be filed by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Vistrionix, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW, Washington, D.C. 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

One copy of each pleading must be delivered electronically, by e-mail or facsimile, or if delivered as paper copy, by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (according to the procedures set forth above for paper filings) to: (1) the Commission's duplicating contractor, Qualex International, at [qualexint@aol.com](mailto:qualexint@aol.com) or (202) 863-2898 (facsimile); (2) Kathy Harris, Commercial Wireless Division, Wireless Telecommunications Bureau, at [kharris@fcc.gov](mailto:kharris@fcc.gov), or (202) 418-7224 (facsimile); and (3) Erin McGrath, Commercial Wireless Division, Wireless Telecommunications Bureau, at [emcgrath@fcc.gov](mailto:emcgrath@fcc.gov) or (202) 418-7447 (facsimile).

Filings and comments may be obtained from ECFS, which is accessible through the Commission's website, and are also available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW, Room CY-A257, Washington, DC, 20554. They may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC, 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail [qualexint@aol.com](mailto:qualexint@aol.com).

For further information, contact Lauren Kravetz Patrich or Erin McGrath, Commercial Wireless Division, Wireless Telecommunications Bureau, at (202) 418-7240.

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